

House Conservation and Environment Committee Amendment No. 1

Amendment No. 1 to HB2885

Ridgeway
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3003*

House Bill No. 2885

by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-4-409, is amended by deleting subsection (j) in its entirety and by substituting instead the following:

(j)(1) One and one-half cents (1.5¢) of the tax levied by subsection (a) shall be credited to a special agency account in the state general fund known as the "state lands acquisition fund." Expenditures from such fund shall be made only to implement and carry out the purposes set forth in this subsection. Funds deposited in such fund shall not revert at the end of any fiscal year, and all interest accruing on investments and deposits of the fund not otherwise expended shall be returned to and made a part of the fund.

(2) (A) The commissioner of environment and conservation shall expend the funds which are deposited in the state lands acquisition fund in accordance with the provisions of subdivision (3) and for the acquisition of land for state parks, state forests, state natural areas, boundary areas along state scenic rivers, the state trails system, and for the acquisition of easements to protect any of the foregoing state areas and for purposes. Such funds may also be used for trail development in the foregoing areas.

(B) No funds deposited in the state lands acquisition fund from the tax levied by subsection (a) shall be obligated or expended to acquire any interest in real property through condemnation or the power of eminent domain.

(3) (A) Notwithstanding the provisions of this subsection to the contrary, the first one million three hundred thousand dollars (\$1,300,000) of funds

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credited to the state lands acquisition fund in any fiscal year shall be transferred to the general fund and placed into a reserve for the operation of state parks. Such funds shall only be used to continue the operation of state parks at the same level of services and availability which were in effect in the 1999-2000 state fiscal year. Such funds shall only be used to keep state parks from being closed and services from being reduced. Such funds shall not be used for capital projects. Any funds remaining unobligated and unexpended at the end of any fiscal year shall revert to the state lands acquisition fund. No later than January 1 of each fiscal year, the commissioner of environment and conservation shall file a report with the finance, ways and means committees of both houses detailing the expenditure and obligation of funds from such reserve.

(B) Notwithstanding the provisions of this subsection to the contrary, the next three hundred thousand dollars (\$300,000) deposited in the state lands acquisition fund shall be transferred and credited to the compensation fund created under § 11-14-406. Following the procedure set forth in that section, the commissioner of finance and administration shall annually reimburse each city and county the amount of lost property tax revenue resulting from any purchase of land by the department of environment and conservation which renders such land tax exempt.

(4) The commissioner of environment and conservation, the commissioner of agriculture and the director of the wildlife resources agency shall jointly establish priorities for the appropriate allocation of funds deposited in

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the state lands acquisition fund. No project shall receive any such funds unless each such official has approved such expenditure. The commissioner of environment and conservation, the commissioner of agriculture and the director of the wildlife resources agency may promulgate regulations to implement this subsection.

Section 2. This act shall take effect on June 30, 2000, the public welfare requiring it and shall be repealed on June 30, 2002.